

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STATE OF MARYLAND; STATE OF DELAWARE; STATE OF CALIFORNIA; STATE OF COLORADO; STATE OF ARIZONA; STATE OF CONNECTICUT; DISTRICT OF COLUMBIA, STATE OF HAWAI'I; STATE OF ILLINOIS; OFFICE OF THE GOVERNOR *ex rel.* Andy Beshear, in his official capacity as Governor of the COMMONWEALTH OF KENTUCKY; STATE OF MAINE; COMMONWEALTH OF MASSACHUSETTS; PEOPLE OF THE STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; JOSH SHAPIRO, in his official capacity as Governor of the COMMONWEALTH OF PENNSYLVANIA; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON; STATE OF WISCONSIN;

Plaintiffs,

v.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, operating as AmeriCorps; and JENNIFER BASTRESS TAHMASEBI, in her official capacity as Interim Head of the Corporation for National and Community Service; OFFICE OF MANAGEMENT AND BUDGET; and RUSSELL VOUGHT, in his official capacity as Director of the Office of Management and Budget;

Defendants.

Civ. No. 25-cv-01363 (DLB)

PLAINTIFF STATES' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff States hereby notify the Court of supplemental authority relevant to this case. In their recent Memorandum, Plaintiff States noted that OMB Defendants were ordered to comply with the statutory mandate to post all apportionment decisions on a public website. Mem. Supp. 2d Mot. for Prelim. Injunction, ECF 176-1, at 11 n.7 (citing *Citizens for Resp. & Ethics in Wash. v. OMB*, No. CV 25-1051 (EGS), 2025 WL 2025114 (D.D.C. July 21, 2025)). OMB Defendants appealed that decision and sought a stay pending appeal, which the D.C. Circuit denied. *CREW v. OMB*, 25-5266 (D.C. Cir. Aug. 9, 2025) (per curiam), attached as Attachment A.

Accordingly, this week, OMB Defendants resumed posting apportionment documents on their public website: <https://apportionment-public.max.gov/>. A recent document concerning AmeriCorps operating expenses was released on the website, and a copy is attached as Attachment B.¹ The document, dated April 29, 2025, states that \$521,593,284 in FY 2025 appropriations for AmeriCorps' operating expenses are subject to a footnote which reads as follows:

Amounts apportioned on this line, but not yet obligated as of the date of this reapportionment, are available for obligations consistent with the latest agreed-upon spending plan for Fiscal Year 2025 between the Corporation for National and Community Service (CNCS, dba AmeriCorps) and the Office of Management and Budget (OMB). Any revisions or additions to such spending plan shall be proposed to OMB in writing no later than five business days before the anticipated obligation of funds based on such revisions or additions. If OMB agrees to such revision or addition, the latest agreed-upon spend plan shall include such revision or addition. In the absence of an agreed-upon spend plan between CNCS and OMB, CNCS may obligate funds on this line only as necessary for Federal salary and payroll expenses or payments otherwise required by law.

¹ The spreadsheet is available within folder Fiscal Year 2025, subfolder Other Independent Agencies, subfolder Excel: [https://apportionmentpublic.max.gov/Fiscal%20Year%202025/Other%20Independent%20Agencies/Excel/FY2025_Agency%3DCNCS_Bureau%3DCNCS_TA_F\\$%3D485-2025-2025-2728_Iteration%3D3_2025-04-29-16.02.xlsx](https://apportionmentpublic.max.gov/Fiscal%20Year%202025/Other%20Independent%20Agencies/Excel/FY2025_Agency%3DCNCS_Bureau%3DCNCS_TA_F$%3D485-2025-2025-2728_Iteration%3D3_2025-04-29-16.02.xlsx).

No “spending plan” or “spend plan” for AmeriCorps is available on the public website. The parties conferred via email, and Defendants stated that they “are not able to confirm if AmeriCorps has entered into a spend plan because that fact (as well as the disclosure of such a plan, if it does exist) would be pre-decisional and deliberative.”

Dated: August 21, 2025

ANTHONY G. BROWN
ATTORNEY GENERAL OF MARYLAND

By: /s/ Michael Drezner
Michael Drezner (D. Md. Bar. No. 31784)
Keith M. Jamieson (D. Md. Bar. No. 31543)
Virginia Williamson (D. Md. Bar. No. 31472)
Assistant Attorneys General
Office of the Attorney General
200 Saint Paul Place
Baltimore, Maryland 21202
(410) 576-6959
mdrezner@oag.state.md.us

Counsel for the State of Maryland

ROB BONTA
ATTORNEY GENERAL OF CALIFORNIA

By: /s/ Ezra Kautz
Ezra Kautz*
Deputy Attorney General
Joel Marrero*
William H. Downer*
Supervising Deputy Attorneys General
Brian Bilford*
Deputy Attorney General
Michael L. Newman*
Senior Assistant Attorney General
California Department of Justice

Respectfully submitted,

KATHLEEN JENNINGS
ATTORNEY GENERAL OF DELAWARE

By: /s/ Ian R. Liston
Ian R. Liston*
Director of Impact Litigation
Vanessa L. Kassab*
Deputy Attorney General
Delaware Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 683-8899
Ian.Liston@delaware.gov

Counsel for the State of Delaware

PHILIP J. WEISER
ATTORNEY GENERAL OF COLORADO

By: /s/ Kyle M. Holter
David Moskowitz*
Deputy Solicitor General
Sarah H. Weiss*
Senior Assistant Attorney General
Kyle M. Holter*
Sam Wolter*
Assistant Attorneys General
Colorado Office of the Attorney General
1300 Broadway, #10
Denver, CO 80203

1300 I Street
Sacramento, CA 95814
(916) 210-6346
Joel.Marrero@doj.ca.gov
William.Downer@doj.ca.gov
Ezra.Kautz@doj.ca.gov
Brian.Bilford@doj.ca.gov
Michael.Newman@doj.ca.gov

Counsel for the State of California

KRISTIN K. MAYES
ATTORNEY GENERAL OF ARIZONA

By: /s/ Joshua A. Katz
Joshua A. Katz*
Assistant Attorney General
Office of the Arizona Attorney General
2005 N. Central Ave.
Phoenix, Arizona 85004
(602) 542-3333
Joshua.Katz@azag.gov

Counsel for the State of Arizona

BRIAN L. SCHWALB
ATTORNEY GENERAL FOR THE DISTRICT OF
COLUMBIA

By: /s/ Andrew C. Mendrala
Andrew C. Mendrala*
Assistant Attorney General
Public Advocacy Division
Office of the Attorney General for the District
of Columbia
400 Sixth Street, NW
Washington, D.C. 20001
(202) 724-9726
Andrew.mendrala@dc.gov

Counsel for the District of Columbia

KWAME RAOUL
ATTORNEY GENERAL OF ILLINOIS

(720) 508-6000
david.moskowitz@coag.gov
sarah.weiss@coag.gov
kyle.holter@coag.gov
samuel.wolter@coag.gov

Counsel for the State of Colorado

WILLIAM TONG
ATTORNEY GENERAL OF CONNECTICUT

By: /s/ Andrew Ammirati
Andrew Ammirati*
Assistant Attorney General
Connecticut Office of the Attorney General
165 Capitol Ave
Hartford, CT 06106
(860) 808-5090
Andrew.Ammirati@ct.gov

Counsel for the State of Connecticut

ANNE E. LOPEZ
ATTORNEY GENERAL OF HAWAI‘I

By: /s/ Kaliko‘onālani D. Fernandes
David D. Day*
Special Assistant to the Attorney General
Kaliko‘onālani D. Fernandes*
Solicitor General
Hawai‘i Department of the Attorney General
425 Queen Street
Honolulu, HI 96813
(808) 586-1360
david.d.day@hawaii.gov
kaliko.d.fernandes@hawaii.gov

Counsel for the State of Hawai‘i

**OFFICE OF THE GOVERNOR *ex rel.*
ANDY BESHEAR**

By: /s/ Abigail R. Durkin

Abigail R. Durkin*

Assistant Attorney General II, Special
Litigation Bureau

Cara Hendrickson*

Assistant Chief Deputy Attorney General
Office of the Illinois Attorney General
115 South LaSalle Street
Chicago, IL 60603
Tel. (312) 814-3000
Abigail.Durkin@ilag.gov
Cara.Hendrickson@ilag.gov

Counsel for the State of Illinois

AARON M. FREY

ATTORNEY GENERAL OF MAINE

By: /s/ Sarah A. Forster

Sarah A. Forster*

Assistant Attorney General
Office of the Attorney General
6 State House Station
Augusta, ME 04333-0006
Tel.: (207) 626-8800
Fax: (207) 287-3145
Sarah.Forster@maine.gov

Counsel for the State of Maine

DANA NESSEL

ATTORNEY GENERAL OF MICHIGAN

By: /s/ Neil Giovanatti

IN HIS OFFICIAL CAPACITY AS GOVERNOR OF
THE COMMONWEALTH OF KENTUCKY

By: /s/ S. Travis Mayo

S. Travis Mayo*

General Counsel

Taylor Payne*

Chief Deputy General Counsel

Laura C. Tipton*

Deputy General Counsel

Office of the Governor

700 Capitol Avenue, Suite 106

Frankfort, KY 40601

(502) 564-2611

travis.mayo@ky.gov

taylor.payne@ky.gov

laurac.tipton@ky.gov

Counsel for the Office of the Governor

ANDREA JOY CAMPBELL

ATTORNEY GENERAL OF MASSACHUSETTS

By: /s/ Katherine Dirks

Katherine Dirks*

Chief State Trial Counsel

Jonathan Green*

Division Chief

Veronica Zhang*

Assistant Attorney General

Non-Profit Organizations / Public Charities

Massachusetts Office of the Attorney General

1 Ashburton Pl. Boston, MA 02108

(617) 963-2277

katherine.dirks@mass.gov

*Counsel for the Commonwealth of
Massachusetts*

KEITH ELLISON

ATTORNEY GENERAL OF MINNESOTA

Neil Giovanatti*
Alexus Ringstad*
Assistant Attorneys General
Michigan Department of Attorney General
525 W. Ottawa
Lansing, MI 48909
(517) 335-7603
GiovanattiN@michigan.gov
RingstadA@michigan.gov

Counsel for the People of the State of Michigan

AARON D. FORD
ATTORNEY GENERAL OF NEVADA

By: /s/ Heidi Parry Stern
Heidi Parry Stern*
Solicitor General
Office of the Nevada Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, NV 89101
HStern@ag.nv.gov

Counsel for the State of Nevada

RAÚL TORREZ
ATTORNEY GENERAL OF NEW MEXICO

By: /s/ James W. Grayson
James W. Grayson*
Chief Deputy Attorney General
New Mexico Department of Justice
P.O. Drawer 1508
Santa Fe, NM 87504-1508
(505) 490-4060
jgrayson@nmdoj.gov

Counsel for the State of New Mexico

By: /s/ Liz Kramer
Liz Kramer*
Solicitor General
Minnesota Attorney General's Office
445 Minnesota Street, Suite 1400
St. Paul, Minnesota, 55101
(651) 757-1010
Liz.Kramer@ag.state.mn.us

Counsel for the State of Minnesota

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY

/s/ Jessica L. Palmer
Jessica L. Palmer*
Lauren E. Van Driesen*
Deputy Attorneys General
Office of the Attorney General
124 Halsey Street, 5th Floor
Newark, NJ 07101
(609) 696-4607
Jessica.Palmer@law.njoag.gov

Counsel for the State of New Jersey

LETITIA JAMES
ATTORNEY GENERAL OF NEW YORK

By: /s/ Jessica Ranucci
Jessica Ranucci*
Special Counsel, Federal Initiatives
Rabia Muqaddam*
Special Counsel for Federal Initiatives
Office of the Attorney General
28 Liberty St.
New York, NY 10005
(929) 638-0447
Jessica.ranucci@ag.ny.gov
rabia.muqaddam@ag.ny.gov

Counsel for the State of New York

JEFF JACKSON

ATTORNEY GENERAL OF NORTH CAROLINA

LAURA HOWARD

CHIEF DEPUTY ATTORNEY GENERAL

By /s/ Daniel P. Mosteller

Daniel P. Mosteller*

Associate Deputy Attorney General
North Carolina Department of Justice
PO Box 629
Raleigh, NC 27602
(919) 716-6026
dmosteller@ncdoj.gov

Counsel for the State of North Carolina

JOSH SHAPIRO

IN HIS OFFICIAL CAPACITY AS GOVERNOR OF
THE COMMONWEALTH OF PENNSYLVANIA

By: /s/ Kenneth L. Joel

Kenneth L. Joel*

Deputy General Counsel
Benjamin Holt*
Chief Counsel
Pennsylvania Department of Labor
Melissa Murphy*
Senior Counsel
Pennsylvania Department of Labor
Governor's Office of General Counsel
30 N. 3rd St., Suite 200
Harrisburg, PA 17101
(717) 649-8669
kennjoel@pa.gov

Counsel for Governor Josh Shapiro

CHARITY R. CLARK

ATTORNEY GENERAL OF VERMONT

DAN RAYFIELD

ATTORNEY GENERAL OF OREGON

By: /s/ Coby Howell

Coby Howell*

Senior Assistant Attorney General
100 SW Market Street
Portland, OR 97201
Tel (971) 673-1880
Fax (971) 673-5000
coby.howell@doj.oregon.gov

Counsel for the State of Oregon

PETER F. NERONHA

ATTORNEY GENERAL OF RHODE ISLAND

By: /s/ Kyla Duffy

Kyla Duffy*

Special Assistant Attorney General
Rhode Island Attorney General's Office
150 South Main Street
Providence, RI 02903
(401) 274-4400, Ext. 2809
kduffy@riag.ri.gov

Counsel for the State of Rhode Island

NICHOLAS W. BROWN

ATTORNEY GENERAL OF WASHINGTON

By: /s/ Jonathan T. Rose
Jonathan T. Rose*
Solicitor General
Office of the Vermont Attorney General
109 State Street
Montpelier, VT 05609
(802) 828-3171
Jonathan.rose@vermont.gov

Counsel for the State of Vermont

By: /s/ Abby Kahl
Abigail Kahl*
Andrew R.W. Hughes*
Assistant Attorneys General
Office of the Attorney General
2425 Bristol Court SW
Second Floor
PO Box 40117
Olympia, WA 98504
360-534-4864
Abigail.Kahl@atg.wa.gov
Andrew.Hughes@atg.wa.gov

Counsel for the State of Washington

JOSHUA L. KAUL
ATTORNEY GENERAL OF WISCONSIN

By: /s/ Charlotte Gibson
Charlotte Gibson*
Assistant Attorney General
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707
(608) 957-5218 (phone)
(608) 294-2907 (fax)

Counsel for the State of Wisconsin

* *Pro hac vice*

CERTIFICATE OF SERVICE

I certify that on August 21, 2025, I filed the foregoing document via CM/ECF and thereby served all parties who have appeared through counsel on the Court's electronic docket.

Respectfully submitted,

/s/ Michael Drezner

Michael Drezner (D. Md. Bar. No. 31784)
Senior Assistant Attorney General
Office of the Attorney General
200 Saint Paul Place
Baltimore, Maryland 21202
(410) 576-6959
mdrezner@oag.state.md.us